

S.C.

Notice of Allowability	Application No.	Applicant(s)	
	09/514,526	FARQUHAR ET AL.	
	Examiner	Art Unit	
	Gentle E Winter	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to paper 060204.
2. ☒ The allowed claim(s) is/are 19-32 and 34-42 (renumbered as 1-23).
3. ☒ The drawings filed on 06 March 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>8/9/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Jack P. Friedman on August 9, 2004.
3. The application has been amended as follows:

In claim 31:

31 (currently amended) An electrical structure, comprising:
a chromium volume;
an iron-comprising body in electrical contact with the chromium volume;
an acid solution in contact with both the chromium volume and the iron-comprising body, wherein the acid solution is adapted to etch metallic chromium at a first etch rate in an absence of any present or prior contact between the metallic chromium and a body that includes iron-, further comprising a layer of conductive metal, wherein the chromium

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volume includes a layer of chromium, and wherein the layer of chromium is on the layer of conductive metal.

In claim 33

33. (cancelled)

In claim 34:

34. (currently amended) The electrical structure of claim ~~33~~31, wherein the acid solution is not in contact with the layer of conductive metal.

Claim Rejections - 35 USC § 112--Withdrawn

1. Claim 18-25 and 28-30 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Upon reconsideration, and after consultation with the examiner's supervisor, the claims are deemed meet the statutory requirements with respect to definiteness.

Claim Rejections -35 USC §103--Withdrawn

2. Claims 26, 27, 19-22, 28, 29 31-33, 35, 36 38-42 were rejected as obvious over Wei (United States Patent No. 4,350,564) in view of Geshner (United States Patent No. 4,105,468).

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3. After consultation with Supervisory Patent Examiner Michael Barr and additional consideration of applicant's arguments, set forth in the appeal brief, and reference to the prior art of record, it appears that the claims recite patentable subject matter.

Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter:

5. Geshner fails to teach each and every limitation of the instant invention. Specifically, Geshner fails to contextually teach that the layer of chromium is on the layer of conductive metal which is disclosed as an essential element of claimed invention, as described in claims 26, 31 (as amended) and 41. Per the discussion, full patentable weight is accorded the acid related limitations.

6. Further, while Geshner and Wei, taken together appear to teach each and every element of the invention, as claimed, the references, and the prior art of record, apparently fails to provide the requisite motivation for making the instantly claimed combination. For at least the foregoing reasons, claims 19-42 recite patentable subject matter.

Conclusion

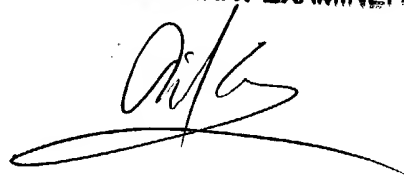
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gentle E Winter whose telephone number is 571-272-1310. The examiner can normally be reached on Monday through Friday 7AM-4PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Questions on access to the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gentle E. Winter
Examiner
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MICHAEL BARR
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'M. Barr', with a long horizontal flourish extending to the left.